

IN RE: PETITION FOR SPECIAL HEARING
NE cor. Pineview Place and
Bengies Road
800 Bengies Road
15th Election District
5th Councilmanic District
William Richardson, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 99-319-SPH

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located at 800 Bengies Road in the Grantlegh subdivision in eastern Baltimore County. The Petition was filed by William Richardson and Joan Richardson, his wife, property owners. The Petitioners seek approval of a temporary in-law apartment on a lot occupied by a primary dwelling. The subject property and requested relief are more particularly shown on the plat to accompany the Petition for Special Hearing, marked as Petitioners' Exhibit No. 1.

Appearing at the requisite public hearing held for this case was William Richardson, property owner/Petitioner. He was represented by John B. Gontrum, Esquire. There were no Protestants or other interested persons present.

The subject property at issue is roughly rectangular in shape with frontage on Bengies Road in eastern Baltimore County. The property is actually bordered by public streets on three sides, Bengies Road to the front, and Pineview Place to the side and rear. The property is approximately 41,625 sq. ft. in area, zoned D.R.1. It is improved with a single family dwelling known as 800 Bengies Road and a 30 ft. x 30 ft. garage.

Mr. Richardson indicated that the garage has been improved to provide residential living quarters. These quarters are occupied by Mr. Richardson's mother in-law who is elderly and suffers from Alzheimer's disease. Additionally, his son lives in the garage to help in the care of his grandmother.

Relief is requested to approve this arrangement. Mr. Richardson explained that his mother in-law needs continuing care and supervision due to her age and illness. He indicated that the house is not practical to provide living quarters for his mother in-law, due to the

COPIES RECEIVED FOR FILING
4/17/99
J. B. Gontrum

layout and numerous stairs in the house. Thus, the garage has been so converted.

This is a large lot and the arrangement does not appear to cause any adverse impact on any neighboring properties. The existing circumstances warrant a grant of the proposed relief. Thus, the Petition for Special Hearing shall be granted. However, a condition will attach to the relief providing that the garage can only be occupied by members of the Petitioners' immediate family.

Pursuant to the advertisement, posting of the property and the public hearing on this Petition held, and for the reasons given above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County, this 7th day of April 1999, that the Petition for Special Hearing to approve a temporary in-law apartment on a lot occupied by a primary dwelling be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired.
2. The garage can only be occupied residentially by members of the Petitioners' immediate family and cannot be leased or used as a "for lease" or "rental" apartment unit.
3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

April 6, 1999

John B. Gontrum, Esquire
Romadka, Gontrum and McLaughlin
814 Eastern Boulevard
Baltimore, Maryland 21221

RE: Petition for Special Hearing
Case No. 99-319-SPH
Property: 800 Bengis Road
Petitioners: William Richardson, et ux

Dear Mr. Gontrum:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an Appeal, please feel free to contact our Appeals Clerk at AC-410-887-3391.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn

Encl.

Copy:

Mr. and Mrs. William Richardson
800 Bengies Road
Baltimore, Maryland 21220





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 800 Bengies Road

which is presently zoned D.R.1

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

a temporary in-law apartment on a lot occupied by primary dwelling.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

John B. Contrum

Name - Type or Print

Signature

Romacka, Contrum & McLaughlin

Company

814 Eastern Blvd (410) 686-8274

Address

Baltimore, MD 21221

Telephone No.

City

State

Zip Code

Legal Owner(s):

William Richardson

Name - Type or Print

Signature

Joan Richardson

Name - Type or Print

Signature

800 Bengies Road

(410) 752-3333

Address

Baltimore, MD 21220

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Name

Address

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

Date

Case No. 99-319 SA17

ZONING DESCRIPTION

BEGINNING on the northeast corner of Pineview Place and Bengies Road and running thence the following distances: 225' northeast along the northwest side of Bengies Road then leaving Bengies Road and traveling 170' on a line parallel with and at a distance of 225' from Pineview Place at the point of beginning; then southwest 225' on a line parallel to Bengies Road to the northeast side of Pineview Place; then 200' along the northeast side of Pineview Place to the place of beginning containing 41,625 net square feet more or less. The improvements thereon known as 800 Bengies Road.

319

99.319.SPH

319 No. 063736

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

DATE 2-17-99 ACCOUNT Ref-6130
AMOUNT \$ 50.00
RECEIVED FROM: W. Richardson Sto. Region Co.

FOR: (030) SDH
99-319-SDH

DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER CASHIER'S VALIDATION

PAID RECEIPT
PROCESS 4/19/00 THE
2/17/99 2/17/99 16:15:31
REF 6130 CASHED REF 6130
F MISCELLANEOUS RECEIPT
BALANCE 063736
BALTIMORE COUNTY, MARYLAND

NOTICE OF ZONING HEARINGS

The Zoning Commissioners of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case #99-349-SPH
8001 Baughes Road
NEC Pineview Place and
Bentley Road
15th Election District
5th Courthouse District
Legal Owner(s): Joan &
William Richardson

Special Hearing: to approve a temporary in-law apartment on a lot occupied by primary dwelling.

Hearing: Thursday, April 1, 1999 at 5:00 a.m. in Room 407, County Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations please contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the file and/or hearing, contact the Zoning Review Office at (410) 887-3391.

3/23/99 March 11 C296530

CERTIFICATE OF PUBLICATION

TOWSON, MD., 3/11, 1999

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/11, 1999

THE JEFFERSONIAN,

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: CASE # 99-319-SPH
PETITIONER/DEVELOPER:
(William Richardson)
DATE OF Hearing
(APR. 1, 1999)

**Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204**

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

**This letter is to certify under the penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property located at
800 Bengies Road Baltimore, Maryland 21220_____**

**The sign(s) were posted on_____ 3-16-99 _____
[Month, Day, Year]**

Sincerely,

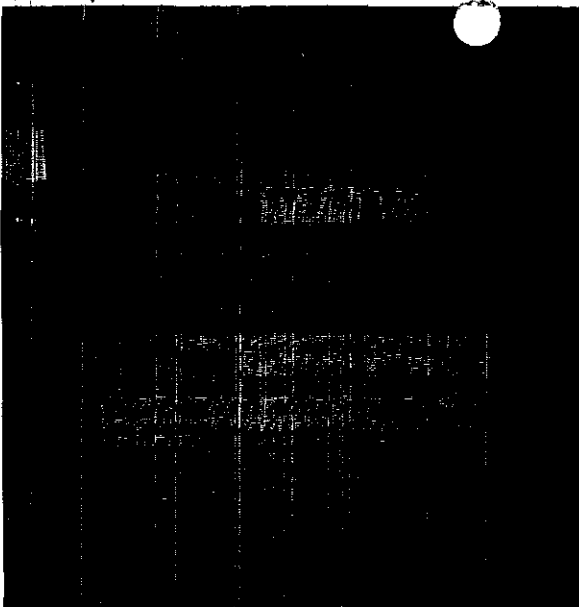

(Signature of Sign Poster & Date)

_____**Thomas P. Ogle, Sr.**_____

_____**325 Nicholson Road**_____

_____**Baltimore, Maryland 21221**_____

_____**(410)-687-8405**_____
[Telephone Number]



**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 319

Petitioner: WILLIAM RICHARDSON

Address or Location: 800 BENJAMIN B BALTO. MD. 21220

PLEASE FORWARD ADVERTISING BILL TO:

Name: SAME

Address: SAME

Telephone Number: (410) 752-3333

Revised 2/20/98 - SCJ

99.319.SPH

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____.

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 99-319SPH

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: A SPECIAL HEARING TO APPROVE A
TEMPORARY IN-LAW APARTMENT ON A LOT
OCCUPIED BY A PRIMARY DWELLING.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

TO: PATUXENT PUBLISHING COMPANY
March 11, 1999 Issue – Jeffersonian

Please forward billing to:

William Richardson
800 Bengies Road
Baltimore, MD 21220

410-752-3333

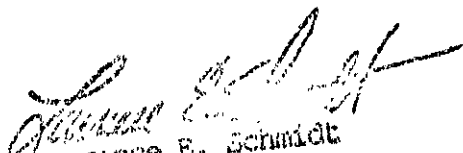
NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-319-SPH
800 Bengies Road
NEC Pineview Place and Bengies Road
15th Election District – 5th Councilmanic District
Legal Owner: Joan & William Richardson

Special Hearing to approve a temporary in-law apartment on a lot occupied by primary dwelling.

HEARING: Thursday, April 1, 1999 at 9:00 a.m. in room 407, County Office Building,
401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

March 1, 1999

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-319-SPH
800 Bengies Road
NEC Pineview Place and Bengies Road
15th Election District – 5th Councilmanic District
Legal Owner: Joan & William Richardson

Special Hearing to approve a temporary in-law apartment on a lot occupied by primary dwelling.

HEARING: Thursday, April 1, 1999 at 9:00 a.m. in room 407, County Office Building,
401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

c: John B. Gontrum, Esquire
Joan & William Richardson

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MARCH 17, 1999.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 25, 1999

Mr. & Mrs. William Richardson
800 Bengies Road
Baltimore, MD

RE: Case No.: 99-319-A
Petitioner: William Richardson
Location: 800 Bengies Road

Dear Mr. & Mrs. Richardson:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on February 28, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures



B A L T I M O R E C O U N T Y , M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: March 19, 1999

FROM: *fw* Robert W. Bowling, Supervisor
 Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for March 1, 1999
 Item Nos. 316, 317, (319), 325, and
 326

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comment.

RWB:HJO:jrb

cc: File

ZONE0301.NOC



Baltimore County
Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

March 11, 1999

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF FEBRUARY 29, 1999

Item No.: See Below

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

3. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

315, 316, 317, (319) 321, 325, 326, 327, 328, AND 329

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

March 11, 1999

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF FEBRUARY 29, 1999

Item No.: See Below Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

3. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

315, 316, 317, 319, 321, 325, 326, 327, 328, AND 329

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development Management

DATE: -----

FROM: R. Bruce Seeley, Project Manager
Development Coordination
DEPRM

SUBJECT: Zoning Advisory Committee

Distribution Meeting Date: 3/1/77

The Department of Environmental Protection and Resource Management has
no comments for the following Zoning Advisory Committee Items:

Item #'s: 315

(319)

320

322

323

324

H
411

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: March 3, 1999

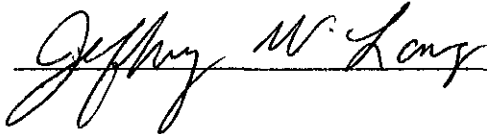
FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):
Item No (s): 319

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:



AFK/JL

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: March 17, 1999

TO: Larry E. Schmidt
Zoning Commissioner

FROM: James H. Thompson - PC
Code Enforcement Supervisor

SUBJECT: ITEM NO.: 319
PETITIONER: William Richardson and Joann Richardson

VIOLATION CASE NO.: 98-5913

LOCATION OF VIOLATION: NEC of Pineview Place and Bengies Road
(800 Bengies Road)
15th Election District

DEFENDANT(S): William Richardson and Joann Richardson

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s):

NAME

ADDRESS

Larry Bavaro

322 Nature Walk Lane
Baltimore, Maryland 21122

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Code Enforcement Supervisor, so that the appropriate action may be taken relative to the violation case.

JHT/pc/lmh

Copy of Hearing
Notice sent to
Mr Bavaro on 3/17/99
scj

RE: PETITION FOR SPECIAL HEARING
800 Bengies Road, NEC of Pineview Place
and Bengies Rd, 15th Election District, 5th
Councilmanic

Legal Owners: William and Joan Richardson

Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case Number: 99-319-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of March, 1999, a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esq., Romadka, Gontrum & McLaughlin, 814 Eastern Blvd., Baltimore, MD 21221, attorney for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

William RICHARDSON

800 BENGIES Rd.

John Conklin



Plat to accompany Petition for Zoning ☐ Variance ☒ Special Hearing

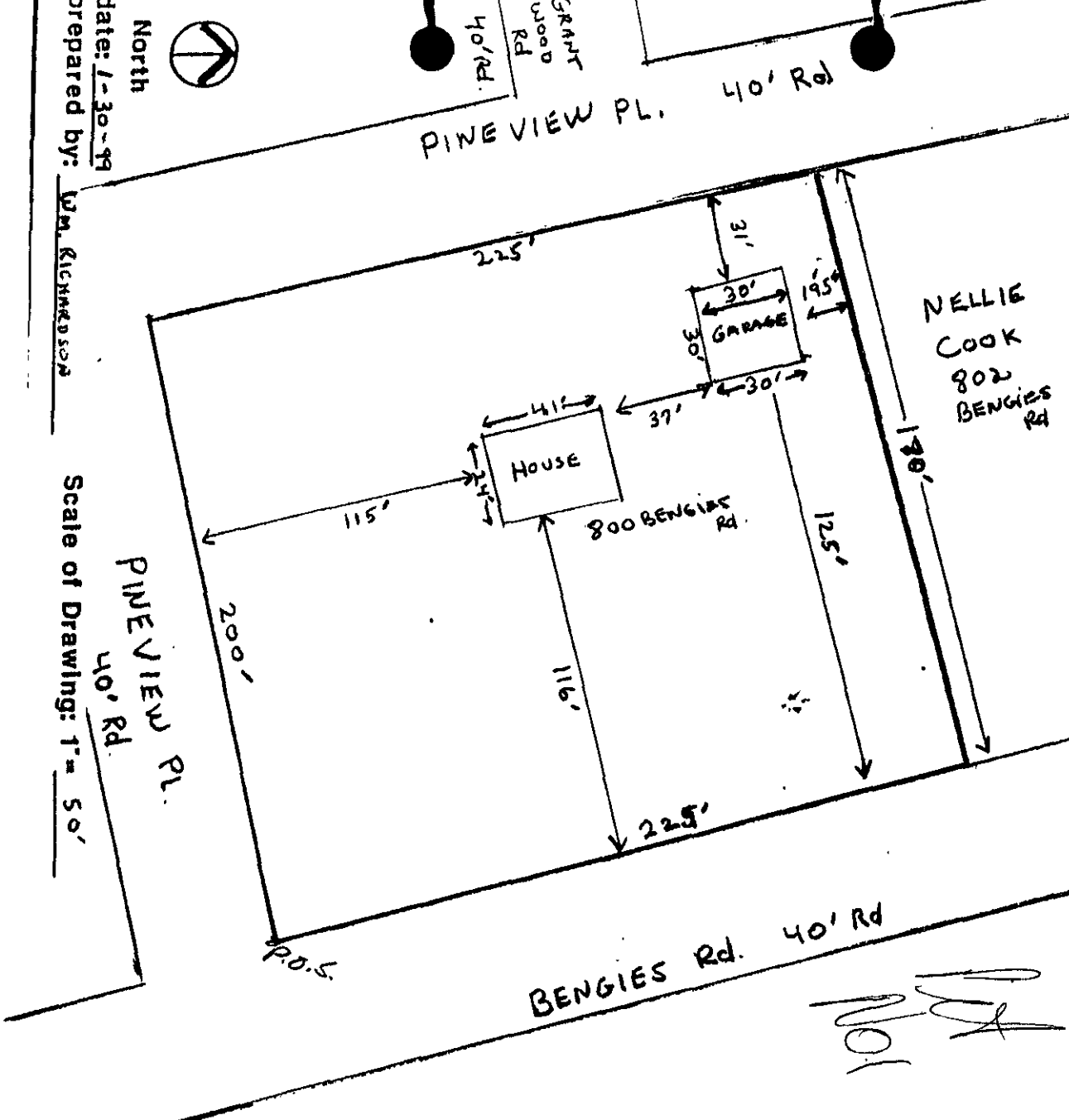
PROPERTY ADDRESS: 800 BENGIES Rd

Subdivision name: GRANT LEIGH

plat book# 12, folio# 232, lot# , section#

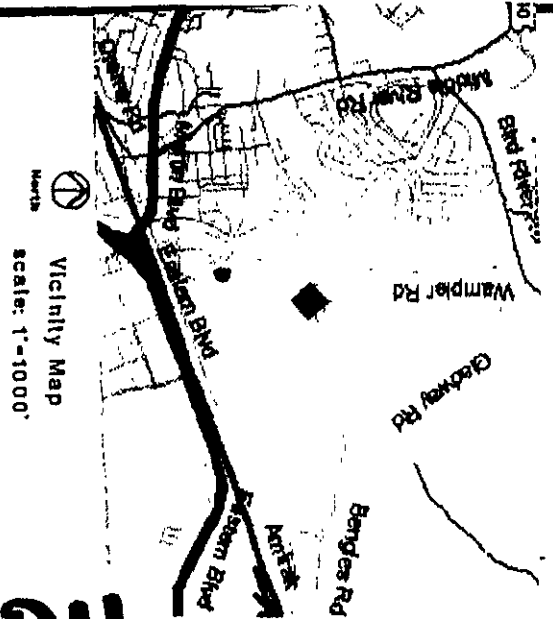
OWNERS: William & Joan Richardson

see pages 5 & 6 of the CHECKLIST for additional required information



North
date: 1-30-99
prepared by: Wm. Richardson

Scale of Drawing: 1" = 50'
PINE VIEW PL.
40' Rd.



LOCATION INFORMATION

Councilmanic District: 5

Election District: 15

1"=200' scale map#: 285-5-1

Zoning: D.R. 1

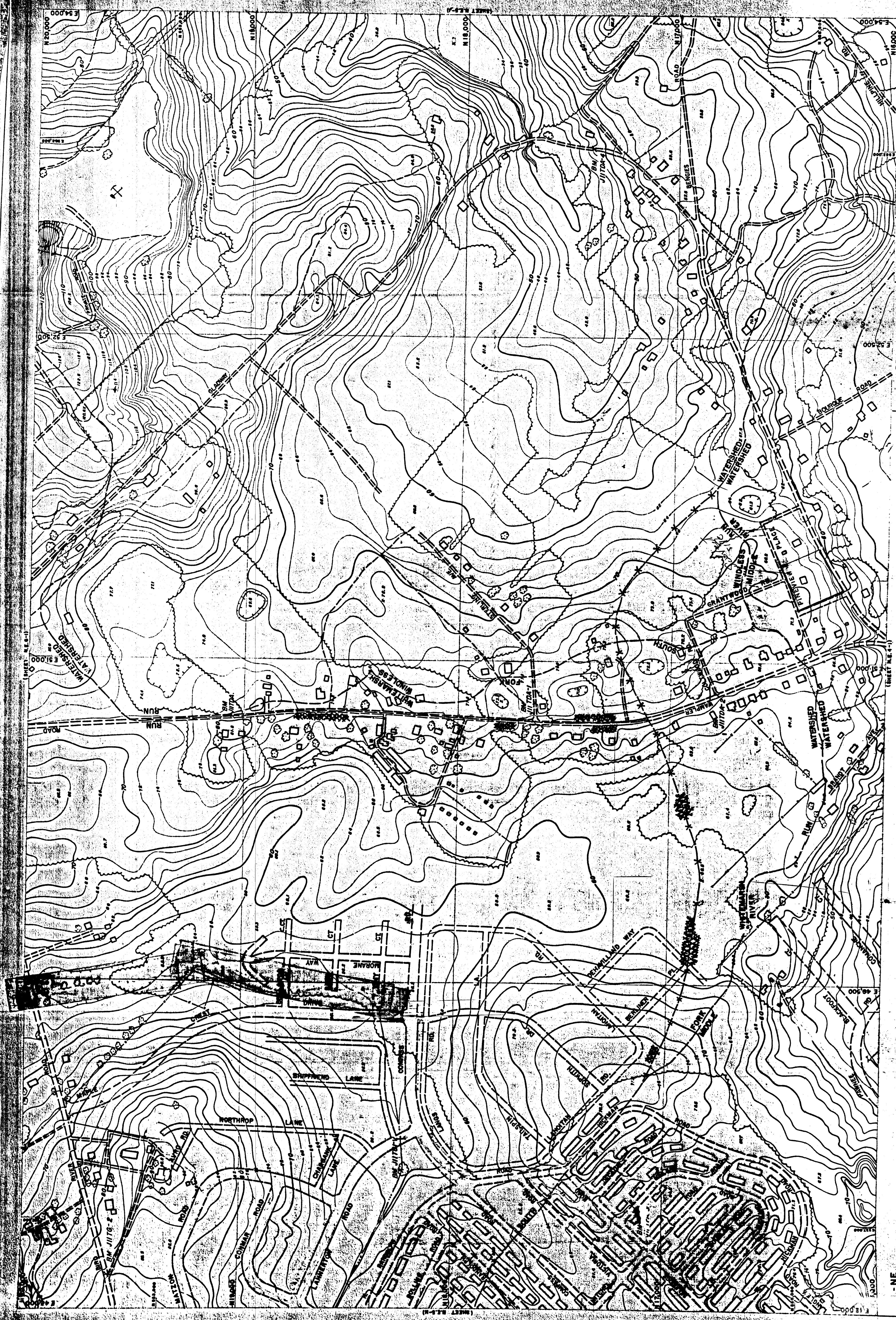
Lot size: 1 acreage 41,625 square feet

SEWER: ☒ public ☐ private
WATER: ☒ yes ☐ no

Chesapeake Bay Critical Area: ☐ yes ☒ no
Prior Zoning Hearings: NONE

Zoning Office USE ONLY!
Zoning Office use only!
reviewed by: ITEM #: CASE#:

99-319-SPH



PHOTOGRAMMETRIC MAP OF 319
BALTIMORE COUNTY METROPOLITAN AREA
99-319-SPH

REVISIONS		SCALE	LOCATION	SHEET
BY	DATE			
	3/18/65	1" = 200'	BENGIES VICINITY	N E 5-1
Photography Compiled by Photogrammetric Methods ABRAMS AERIAL SURVEY CORP. LANSING, MICH.				

